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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/698,119	10/31/2003	Arto Cinoglu	DAMADIAN 3.0-103	8940
530	7590	11/17/2004	EXAMINER	
LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK 600 SOUTH AVENUE WEST WESTFIELD, NJ 07090			SHRIVASTAV, BRIJ B	
			ART UNIT	PAPER NUMBER
			2859	

DATE MAILED: 11/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/698,119

Applicant(s)

CINOGLU ET AL.

Examiner

Brij B Shrivastav

Art Unit

2859

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 October 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 19-24 and 28-39 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 35 and 36 is/are allowed.
- 6) ☒ Claim(s) 19-24, 37 and 39 is/are rejected.
- 7) ☒ Claim(s) 28-34 and 38 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>10/21/03</u> <u>4.1.04</u> | 6) <input type="checkbox"/> Other: _____ |

1. Applicant's amendment dated October 6, 2004, in response to the Office action dated August 31, 2004, has been received and entered. Applicant has withdrawn claims 1-18 and 25-27 from consideration. Further, applicant has elected claims 19-24, and has added new claims 28-39.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claim 19-24 rejected under 35 U.S.C. 102(b) as being anticipated by Noda (US 4,052,774).

As regards to claim 19, Noda teaches a belt buckle comprising a non-magnetic (plastic) housing and has a switch member and a non-magnetic (plastic) locking member, which is adapted to be received and secured by the housing, wherein the switch member is capable of providing an indication that the locking member is secured by the housing (figures 1 and 2, numeral 1, 2, 6, column 1, lines 4-51; column 2 and 3, lines 50-68 and 1-65).

As regards to claims 20-24, Noda further teaches various types of nylon/plastic (plastic being a common name of resin made plastic, including ABS and PVC)

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 37 is rejected under 35 U.S.C. 103(a) as being unpatentable over Damadian et al (US 6,023,165), and further in view of Noda (US 4,052,774).

As regards to claim 37, Damadian et al teach a magnetic resonance imaging apparatus having a pair of opposed elements spaced apart along a horizontal pole axis and defining a patient receiving space there-between, a patient support positionable in said patient receiving space (figures 12-14 and 18, column 13 and 14, lines 11-67, and 18-36, column 15, lines 23-57). However, Damadian et al do not specifically teach a non-magnetic buckle assembly including a housing, a locking member and a switch member, wherein the switch member provides an indication of whether the belt buckle assembly is latched. Noda teaches a non-magnetic buckle assembly including a housing, a locking member and a switch member, wherein the switch member provides an indication of whether the belt buckle assembly is latched (figures 1 and 2, numeral 1, 2, 6, column 1, lines 4-51; column 2 and 3, lines 50-68 and 1-65).

It would have been obvious to one of ordinary skill in the art to adapt non-magnetic buckle assembly of Noda with the patient support in the magnetic resonance imaging apparatus of Damadian et al et al to improve safety of the patient during various patient positions and orientations required during imaging.

4. Claim 39 is rejected under 35 U.S.C. 103(a) as being unpatentable over Damadian et al (US 6,023,165) and Noda (US 4,052,774) as applied to claim 37 above, and further in view of Boblitz (US 3,381,268).

As regards to claim 39, neither Damadian et al nor Noda further teach belt buckle assembly having an electrical switch. Boblitz teaches a belt buckle with an electrical switch. It would have been obvious to one of ordinary skill in the art to adapt electrical switch in the patient support of the magnetic resonance imaging apparatus of Damadian et al and Noda to strap the patient with the belt conveniently and with ease to increase patient's comfort.

Allowable Subject Matter

5. Claim 35 and 36 are allowed, as the prior art of record does not teach a belt buckle, wherein in an assembled position the tongue plate is inserted in the non-magnetic housing such that the lug engages the recess and the mating member engages the contact pins, in combination with the remaining limitations of the claim.

6. Claims 28-34 and 38 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brij B Shrivastav whose telephone number is 571-272-2250. The examiner can normally be reached on 7 AM to 4 PM.

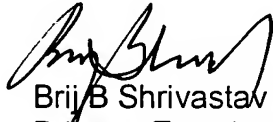
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Diego F. F. Gutierrez can be reached on 571-272-2245. The fax phone

Art Unit: 2859

number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

November 15, 2004


Brij B Shrivastav
Primary Examiner
Art Unit 2859
